



Atty. Docket No.: P65315US0

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Application of: STÄNDKER et al.

Serial No.: 09/509,559

Group Art Unit: 1647

Filed: November 27, 2000

Examiner: Regina M. DeBerry

For: CADHERIN DERIVED GROWTH FACTOR AND ITS USE

TRANSMITTAL

Commissioner for Patents
United States Patent and Trademark Office
Washington, D.C. 20231

Sir:

Transmitted herewith is a Response in the above-captioned application.

XX Small Entity status of this application under 37 CFR 1.9 and 1.27 has been established by a statement previously submitted.

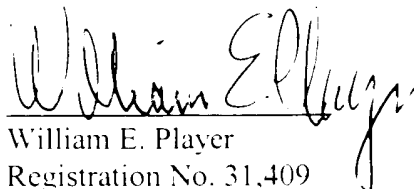
 A check in the amount of \$ is attached for:

XX If a Petition for Extension of Time is necessary and the Petition and/or the check is not enclosed, this will act as the Petition and applicant herewith petitions the Commissioner to extend the time for response and charge any fees necessary under 37 CFR 1.17 (a)-(d) to Deposit Account No. 06-1358. The Commissioner is also authorized to charge payment of any other additional fees associated with this communication or credit any overpayment to Deposit Account No. 06-1358.

JACOBSON HOLMAN PLLC
400 Seventh Street, N. W.
Washington, D.C. 20004-2201
Atty. Dkt. No.: P65315US0
Date: August 2, 2002
WEP:rdt

R:\rthomas\2002\AUGUST\P653151-50-1TRANS.wpd

By:


William E. Player
Registration No. 31,409

RECEIVED
AUG 13 2002
TECH CENTER 1600-2900



Atty. Docket No.: P65315US0

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Application of:

STÄNDKER et al.

Serial No.: 09/509,559

Group Art Unit: 1647

Filed: November 27, 2000

Examiner: Regina M. DeBerry

RECEIVED
AUG 02 2002
TECH CENTER

For: CADHERIN DERIVED GROWTH FACTOR AND ITS USE

RESPONSE

Commissioner of Patents
Washington, D.C. 20231

Sir:

Applicants submit the instant paper in response to the Office Action mailed July 2, 2002.

Pursuant to the restriction requirement under 35 U.S.C. 121, Applicants elect to prosecute the invention of Group I, claims 1-4, 9, 11, 12, and 14, with traverse. Traversal is maintained since Applicants consider the claims to form an overall generic concept of invention.

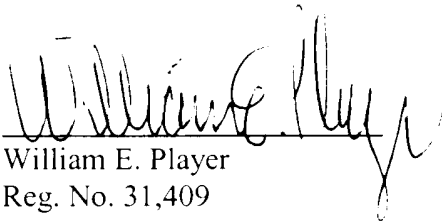
Pursuant to the requirement for election of species, Applicants elect as species SEQ ID NO: 10 (peptide OB-CDGF). Election is made with traverse, to the extent that the PTO cannot require dividing a proper generic claim based on a restriction or election of species requirement and, further, to the extent that, upon allowance of a generic claim, Applicants are entitled to claim a reasonable number of species in addition to the elected species.

Favorable action is requested.

Respectfully submitted,

JACOBSON·HOLMAN PLLC

By:


William E. Player
Reg. No. 31,409

400 Seventh Street, N.W.
The Jenifer Building
Washington, D.C. 20004
Tel.: (202) 638-6666
Atty. Dkt. No.: P65315US0
Date: August 2, 2002
R:\rthomas\2002 AUGUST P65315amd.wpd